

within this State, shall be liable for injuring, destroying, Companies, or killing any *line* [live] stock, the same as railroad &c., running companies now are, and all the provisions of chapter R.R. liable for 169 of the acts of the Ninth General Assembly, which injuring, &c., live stock. apply to the putting in of cattle-guards, the fencing Cattleguards. of the road, the injuring, destroying, or killing of live stock, the neglect of agents and employees, shall be held to apply to such companies, lessees, or corporations, as though they were specially named therein, Parties injured to have operation of such roads by such parties, shall have all remedies against lessees, &c. the remedies prescribed in said chapter as fully as they now have against the railroad company.

SEC. 2. This act, being deemed of immediate importance, shall go into effect from and after its publication in the Daily Iowa Register and Iowa Homestead, newspapers published at Des Moines, Iowa. Taking effect.

Approved April 3, 1868.

I hereby certify that the foregoing act was published in the *Daily State Register* April 8, 1868, and in *The Iowa Homestead* April 9, 1868.  
ED WRIGHT, *Secretary of State*.

## CHAPTER 80.

### TOWNS INCORPORATED UNDER THE CODE.

AN ACT Relating to Towns Incorporated under the Provisions of Chapter 42 of the Code of 1851. APRIL 3.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That upon the filing in the office of the Secretary of State of a copy of the record of (any instrument purporting to be) the charter of incorporation, under chapter 42 of the Code of Iowa of Code, ch. 42. 1851, of any town therein named and described, duly certified, by the recorder of the county wherein such town is situate, to be a correct copy of the record of such charter as the same appears of record in his office, Mode of procedure for towns incorporated under Code. such town, so named and described, shall be deemed to have been, at the date therein mentioned for the taking effect of said charter, duly incorporated thereunder as such town; and such town shall be advanced to the How advanced in grade. on like conditions, as provided by chapter 51 of the Rev. ch. 51. Revision.

**Co. recorders** **SEC. 2.** It shall be the duty of every county recorder, in whose office there shall appear a record of any instrument purporting as aforesaid, forthwith to make, and deposit by mail in the office of the Secretary of State, a correct copy of such record as the same appears in his office, duly certified by him, in manner as aforesaid, upon the performance of which service such recorder shall be entitled to demand and receive from such incorporated town his legal fees therefor; and on receipt of such certified copy by the Secretary of State, it shall be the duty of the said Secretary to file the same in his office and to indorse thereon the date of such filing; and thereafter his certificate of such fact of filing, and of the date of the same, shall be evidence thereof in all courts and places.

**Fees.**

**Secretary of State to file.**

**Secy's certificate evidence**

**Towns incorporat'd under Code, and intended to be reorganized under ch. 157, 7th G. A. deemed so organized.** **SEC. 3.** Any town that may have been incorporated under chapter 42 of the Code of 1851, and that since the taking effect of chapter 157 of the laws of the 7th General Assembly, entitled "An act for the incorporation of cities and towns," shall have manifested, by the election of the officers mentioned in section 51, of said act, (section 1081 of the Revision,) its intentions to organize as an incorporated town, under the provisions of said act, shall, from the time of the election of any such officers, be deemed to be thereby organized under such act as such incorporated town; and all the provisions of said act, and the amendments thereto, shall be held to apply to such incorporated town from the date of such election, as fully and in like manner as if the said town had been originally incorporated and organized under the said act; and the official acts of all persons discharging the duties of the several offices provided for in section 51 aforesaid, since the organization of such incorporated town as aforesaid, are hereby declared to be as valid and effectual, to all intents and purposes, as if the said town had been originally incorporated and organized under and in pursuance of the act aforesaid: *Provided*, That the legalizing part of this act shall not be held to in any manner affect any suit, action, or legal proceeding, now pending in any court in this State, wherein any of the supposed illegalities herein legalized are set up, either in support thereof or as defense thereto.

**Official acts valid.**

**Legal proceedings now pending not affected.**

**What regarded as evidence of incorporation;** **SEC. 4.** The original of any charter aforesaid, or a duly certified copy thereof, or of the record thereof, or a printed copy of any charter aforesaid, purporting to be published by corporate authority of such town, shall be received as evidence, in all courts and places, of the

fact of incorporation and of all other matters therein contained; and a copy of the records of any election and of election under re-organization. aforesaid, duly certified as a correct copy thereof by the acting recorder of any such town, as well as the original record and the certificates of election, shall be evidence in all judicial proceedings of such election.

SEC. 5. This act, being deemed by the General Assembly, of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register and Iowa Homestead, newspapers published at Des Moines, Iowa: *Provided*, the same No cost to State. be done without expense to the State.

Approved April 3, 1868.

I hereby certify that the foregoing act was published in the *Daily State Register* April 10, 1868, and in *The Iowa Homestead* April 15, 1868.

ED WRIGHT, *Secretary of State*.

## CHAPTER 81.

### STATE AGRICULTURAL COLLEGE AND MODEL FARM.

AN ACT Making Appropriations for the State Agricultural College and Farm. APRIL 8.

SECTION. 1. *Be it enacted by the General Assembly of the State of Iowa*, That there is hereby appropriated for the purposes as hereafter specified, out of any money in the State treasury not otherwise appropriated, the following sums, or so much thereof as may be necessary, viz.: For procuring and placing a heating apparatus, cooking range, and the necessary fixtures belonging thereto, in the Iowa Agricultural College building, ten thousand dollars; for the purpose of erecting three dwelling houses for the use and occupancy of the professors employed in the College above mentioned, said buildings to be erected on the College Farm under direction of the building committee, elected by the board of trustees, twelve thousand dollars; for procuring water, constructing cisterns, and providing clocks and bell, two thousand dollars; for grading and laying out grounds, procuring and planting trees, and erecting the necessary outbuildings, one thousand dollars; to pay for extra work on the college building

Appropriations for Ag'l College:  
Heating and cooking apparatus, &c., \$10,000;  
houses for professors, \$12,000;  
grading, tre & out-buildings, \$1,000;